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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

13 DOMINO'S PIZZA FRANCHISING LLC, a) 3:10-cv-00560-HDM-RAM
14 Delaware limited liability)
15 company; and DOMINO'S PIZZA)
MASTER ISSUER LLC, a Delaware)
limited liability company,) ORDER
16 Plaintiffs,)
17 vs.)
18 CALVIN YEAGER, an individual;)
VALLEY PIZZA, INC., a Nevada)
corporation; and LAKESIDE PIZZA,)
INC., a California corporation,)
20 Defendants.)
21)

22 On June 10, 2011, defendants filed a motion to dismiss.
23 (Docket No. 28) The motion to dismiss argues: (1) this court does
24 not have personal jurisdiction over Matthew Matlock and Pronto
25 Pizza because these parties were not properly served with
26 plaintiffs' motion to enforce judgment (Docket No. 7); (2)
27 defendant Calvin Yeager is bankrupt and the Michigan judgment
28 against him is void; (3) the dissolution of Valley Pizza voids the

1 judgment against it; and (4) the defendants are entitled to
2 attorneys fees.

3 On June 21, 2011, the court vacated its order (Docket No. 12)
4 granting plaintiffs' motion to enforce judgment (Docket No. 7),
5 ordered re-service of the motion to enforce judgment to Robert
6 Huckaby on behalf of the named defendants and Matthew Matlock and
7 Pronto Pizza, and reset the hearing on plaintiffs' motion to
8 enforce judgment for July 21, 2011. (See June 21, 2011 Minutes)
9 The court also deferred ruling on defendants motion to dismiss
10 (Docket No. 28). *Id.*

11 The defendants were re-served with the motion to enforce
12 judgment. (See Docket Nos. 32, 38 and 39) The July 21, 2011
13 hearing was continued until August 23, 2011.

14 On August 22, 2011, Calvin Yeager and Matthew Matlock filed
15 separate notices of bankruptcy. (Docket Nos. 41 and 40
16 respectively) Accordingly, the court stayed all proceedings on
17 August 22, 2011 and vacated the court's August 23, 2011 hearing.
18 (Docket No. 42)

19 On September 7, 2011, the court denied without prejudice and
20 with leave to renew plaintiffs' motion to enforce judgment. (Docket
21 No. 44)

22 Based on the foregoing, defendants' motion to dismiss (Docket
23 No. 28) is hereby DENIED as moot.

24 **IT IS SO ORDERED.**

25 DATED: This 4th day of October, 2011.

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27

UNITED STATES DISTRICT JUDGE
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